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UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED _____
DOCKETED _____ DATE _____ INITIAL _____

Amro Elenseri
Appellant(s),

9th Cir. Case No. 21-35984

vs.

District Court or
BAP Case No. 6:21-CV-00057-BMM

State of Montana, Et. A.
Appellee(s).

APPELLANT'S INFORMAL OPENING BRIEF

(attach additional sheets as necessary, up to a total of 50 pages including this form)

JURISDICTION. This information helps the court determine if it can review your case.

1. Timeliness of Appeal:

- a. What is the date of the judgment or order that you want this court to review? 10/29/2021
- b. Did you file any motion, other than for fees and costs, after the judgment was entered? Answer yes or no: YES

- If you did, on what date did you file the motion? 11/12/2021 (Reviewed on 11/15/2021)
- For prisoners or detainees, what date did you give the motion to prison authorities for mailing? N/A
- What date did the district court or bankruptcy appellate panel (BAP) decide the motion that you filed after judgment? Still Pending

- c. What date did you file your notice of appeal? 11/22/2021

- For prisoners or detainees, what date did you give your notice of appeal to prison authorities for mailing? N/A

1. I am a writer, typist, secretary, legal document assistant as provided in the California Business Code
2. I service anyone who needs help with basic writing - in many states - California, Georgia, Oregon, Pennsylvania, etc.
3. I DON'T GIVE LEGAL ADVICE OR Represent myself as a lawyer or even a paralegal in any way
4. U.S. Federal Court finds state - Did you pay a lawyer for this?
Did you pay a Writer/Paralegal/Typist
↓ ↓
Yes-me Yes-me
5. Montana Attorney General Yates sent me a letter telling me Montana law only allows lawyers or paralegals that are supervised by lawyers - to write
6. ~~See~~ my work as a freelance writer is banned?
effectively - it is - by the application of the Montana Law Ultra Vires
7. I filed a federal lawsuit in Montana to challenge the constitutionality of this law and the constitutionality of its application manner -
8. District Court ruled Montana has the right to regulate the practice of law - BUT I AM NOT LAWYERING!
9. Freelance Writing is not against the law.

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PROCEEDINGS BEFORE THE DISTRICT COURT OR THE BAP. In this section, we ask you about what happened before you filed your notice of appeal with this court.

3. What did you ask the district court or the BAP to do—for example, did you ask the court to award money damages, issue an injunction, or provide some other type of relief?

I asked for declaratory relief declaring my work not to be illegal/unlawful as well as injunctive relief ordering the Montana AG to desist interruption + damages in their individual capacity for the Unlawful "pull over"/search+seizure pursuant to U.S. Const. Amendment ~~XIV~~ - Due Process Clause

4. What legal claim or claims did you raise in the district court or at the BAP?

Montana Law is Unconstitutional - Over inclusive + manner of Application to non lawyers / non paralegals also Unconstitutional + §1983 Civil Action for Deprivation of Rights

5. **Exhaustion of Administrative Remedies.** For prisoners, did you use up all administrative remedies for each claim before you filed your complaint in the district court? If you did not, please tell us why.

N/A

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PROCEEDINGS BEFORE THE COURT OF APPEALS. In this section, we ask you about issues related to this case before the court of appeals and any previous cases you have had in this court.

6. What issues are you asking the court to review in this case? What do you think the district court or the BAP did wrong?

The District Court wrongfully applied the lawyer / paralegal law to me as a freelance writer / secretary / typist / dictation services provider.
He said Montana has the right to regulate practice of law
BUT I AM NOT A LAWYER / or PRACTICING LAW - he failed to distinguish

7. Did you present all issues listed in Question 6 to the district court or the BAP?
Answer yes or no: YES

If not, why not?

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8. What law supports these issues on appeal? (You may refer to cases and statutes, but you are not required to do so.)

California Business Code § 6400 - Legal Document Preparation et seq.

- Defines - Lawyer
- Paralegal
- Legal Document Assistant
- and excludes - secretary services
- freelance writing.

U.S. Const Amend XIV - Due Process Clause

Supreme Court - Brown v. Entertainment Merchants Association
- Overinclusiveness = unconstitutional

Lochner v. New York - Fundamental Right To Freedom of Contract
(absent strict scrutiny)

Monterey Law - MCA 21-10-305 - itself is facially unconstitutional

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9. **Other Pending Cases.** Do you have any other cases pending in the court of appeals? If so, give the name and docket number of each case.

NOT Related

- Elensari vs. Com. Pennsylvania - 21-2100
Third Circuit

- Elensari vs. Com. Pennsylvania - 21-1178
Third Circuit

10. **Previous Cases.** Have you filed any previous cases that the court of appeals has decided? If so, give the name and docket number of each case.

- Elensari vs. Ragazzo - 21-1192 - Third Circuit

- Elensari vs. United States - 19-1106 - Third Circuit

- Elensari v. Jesse - 19-cv-0286 { 16-03417 - Third Circuit
15-02843 - Third Circuit
18-03727 - Third Circuit

- Elensari v. Altman - 19-03177

- Elensari v. Tinder - 19-02789

Elensari v. Pamela Ruest
19-03021

- Elensari v. Federal Bureau of Investigation

- Elensari vs. Shay Ramirez - 20-01079

Elensari vs. PASSHE - 19-3020


- Elensari vs Philadelphia Municipal Court - 20-01078

- Elensari vs. Kearney - 20-01476 Elensari v. Sawage - 19-1606

- Elensari vs Golf Club Apartments - 18-03184 - 19-1607

- Elensari vs. U. of Pennsylvania - 19-2043

Name Amro Elensari

Signature 

130 Justin Drive

West Chester, PA 19382

Address

12/09/2021

Date

All
Third
Circuit

**UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

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Instructions

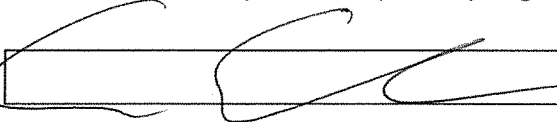
- You must attach a certificate of service to each document you send to the court and to opposing counsel.
- Include the title of the document you are serving, the name and address of each person you served with a copy of the document, and the date of mailing or hand delivery.
- Sign and date the certificate. You do not need to have the certificate notarized.
- Remember that you must send a copy of **all** documents and attachments to counsel for **each** party to this case.

9th Cir. Case Number(s) 21-35984

Case Name Elansari vs. State of Montana, et al.

I certify that I served on the person(s) listed below, either by mail or hand delivery, a copy of the Opening Brief-Motion for Prelim Inj. Relief-Counsel-IFP and any attachments. (title of document you are filing, such as Opening Brief, Motion for __, etc.)

Signature



Date

12/09/2021

Name	Address	Date Served
U.S. District Court Judge Morris	201 E. Broadway St. Missoula MT 59802	12/09/2021
Angela Yates	201 Sanders Street Thrd Floor PO Box 20401 Helena MT 59602	12/09/2021
Austin Knudsen	201 Sanders Street Thrd Floor PO Box 20401 Helena MT 59602	12/09/2021

Mail this form to the court at:

Clerk, U.S. Court of Appeals for the Ninth Circuit, P.O. Box 193939, San Francisco, CA 94119-3939

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